

This record is a partial extract of the original cable. The full text of the original cable is not available.

C O N F I D E N T I A L SECTION 01 OF 02 KABUL 000418

SIPDIS

DEPT FOR SA/FO AMBASSADOR QUINN, S/CT, SA/A, AND EUR/RPM
NSC FOR AHARRIMAN, KAMEND
CENTCOM FOR POLAD, CG CFA-A, CG CJTF-76

E.O. 12958: DECL: 01/10/2015

TAGS: [KAWC](#) [MOPS](#) [PREL](#) [AF](#)

SUBJECT: AFGHAN DETAINEE TRANSFER TEAM READY TO TRAVEL TO
GUANTANAMO IN FEBRUARY

REF: KABUL 235

Classified By: CHARGE RICHARD NORLAND FOR REASONS 1.4 (B) AND (D)

1. (U) THIS CABLE CONTAINS ACTION REQUESTS: SEE PARAGRAPHS
4 AND 5 BELOW.

2. (C) THE INFORMAL KABUL DETAINEE AFFAIRS WORKING GROUP
MET ON JANUARY 26, ATTENDED BY CFC-A, OSC-A, DOS (INCLUDING
VISITING WASHINGTON DESK OFFICER), AND DOJ (ARG)
REPRESENTATIVES. IT WAS AGREED THAT THE TOP PRIORITY TO MOVE
THE TRANSFER PROCESS FORWARD WAS THE PROVISION OF THE LEGAL
FRAMEWORK NON-PAPER TO THE AFGHAN INTER-MINISTERIAL GROUP AT
LEAST TWO WEEKS PRIOR TO THEIR VISIT TO GUANTANAMO.

3. (C) AFGHAN EXPERTS ARE PREPARED TO TRAVEL TO GUANTANAMO
TO BEGIN THE FIRST STEPS IN EVALUATING AFGHAN DETAINEES FOR
POSSIBLE TRANSFER TO GOA CUSTODY. TENTATIVE TRAVEL DATE IS
FEBRUARY 24.

4. (C) CRITICAL TO THE SUCCESS OF THIS VISIT IS THE TIMELY
DELIVERY OF THE LEGAL FRAMEWORK/POLICY GUIDANCE NON-PAPER
WHICH IS CURRENTLY BEING PREPARED BY DOS, AND BEING CLEARED
THROUGH THE WASHINGTON INTERAGENCY PROCESS. THIS NON-PAPER
MUST BE MADE AVAILABLE TO THE AFGHAN TEAM TWO WEEKS BEFORE
THEY DEPART. IN OTHER WORDS, THE NON-PAPER SHOULD BE
DELIVERED BY FEBRUARY 10, IF THE TRAVEL DATE REMAINS FEBRUARY
24, 2006. WITHOUT THIS LEGAL FRAMEWORK TO PROVIDE A BASIS TO
GUIDE THEM IN THEIR EVALUATION OF DETAINEES, THE VETTING
DECISIONS MADE BY THE GROUP COULD BE CALLED INTO QUESTION.
IN FACT, DR. SABIT, THE PRIMARY LEGAL EXPERT ON THE GROUP,
HAS SAID HE WILL NOT UNDERTAKE THE TRIP WITHOUT THIS PAPER IN
HAND. WE REQUEST THAT CONCERNED WASHINGTON AGENCIES RAPIDLY
VET AND SEND TO POST THE LEGAL FRAMEWORK NON-PAPER.

5. (C) FINALLY, IN ORDER FOR THE TRIP TO BE AS PRODUCTIVE
AS POSSIBLE, WE ALSO REQUEST THAT CENTCOM AUTHORIZE THE
RELEASE OF DETAINEE RECORDS TO THE AFGHAN TEAM AS SOON AS
POSSIBLE SO THAT VETTING CAN BEGIN PRIOR TO THE TRIP.

6. (C) WE HAVE HEARD INFORMALLY THAT DOD WILL FUND THE
TRIP; VERY ROUGH ESTIMATES PUT THE COST OF A 5-6 DAY VISIT TO
GUANTANAMO (WITH NO WASHINGTON LEG, ALTHOUGH EMBASSY
CONTINUES TO BELIEVE THAT WASHINGTON CONSULTATIONS EN ROUTE
MAY HAVE VALUE) AT USD 15,000. WE UNDERSTAND THAT THE USD
16.9 MILLION IN AFSA MONEY FOR THE RENOVATION OF BLOCK FOUR
OF POL-E-CHARKHI IS AT THE NSC WAITING FOR THE PRESIDENT'S
SIGNATURE, WITH A TARGET DATE FOR RELEASE OF FUNDS OF
FEBRUARY 15, WHICH COULD PUSH THE COMPLETION DATE OF THE
FACILITY TO APRIL/MAY 2007. THE USD 9 MILLION IN ASFF
(SUPPLEMENTAL) MONEY IS BEING PREPARED FOR CONGRESSIONAL
NOTIFICATION, WITH A TARGET DATE FOR RELEASE OF FUNDS BETWEEN
FEBRUARY 4-7.

8. (C) WE RECEIVED VISA APPLICATIONS FOR THE
INTER-MINISTERIAL TEAM ON JANUARY 28, AND THE NAMES AND DATA
ARE LISTED BELOW. THERE HAS BEEN ONE MODIFICATION FROM THE
ORIGINAL LIST SENT IN OCTOBER: THE NSC REPRESENTATIVE HAS
BEEN CHANGED FROM ENGINEER DAUD (WHO WAS RECENTLY APPOINTED
GOVERNOR OF HELMAND PROVINCE) TO AHMAD JAMIL BAHRAMI. WE
UNDERSTAND THAT THERE MAY BE A SIXTY-DAY ADVANCE NOTICE
REQUIREMENT IN ORDER TO VISIT THE FACILITY, UNLESS EXPEDITED
APPROVAL CAN BE ACCOMPLISHED TO ENABLE MR. BAHRAMI TO
PARTICIPATE IN THE TRIP. THE SUPREME COURT HAS INDICATED
THAT IT WILL NOT SEND A REPRESENTATIVE; MEMBERS OF THE
INFORMAL DETAINEE WORKING GROUP DO NOT BELIEVE THIS OMISSION
WILL SIGNIFICANTLY IMPACT THE SUCCESS OF THE MISSION.

NATIONAL SECURITY COUNCIL (VICE ENGINEER DAUD ON THE ORIGINAL
LIST)

BAHRAMI, AHMAD JAMIL
DOB: NOVEMBER 21, 1973
POB: WARDAK, AFGHANISTAN
PP#: SE 036794

MINISTRY OF THE INTERIOR
SABIT, ABDUL JABAR
DOB: APRIL 15, 1945
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MINISTRY OF DEFENSE

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ATTORNEY GENERAL'S OFFICE

FAGERYAR, FAZEL AHMAD

DOB: OCTOBER 14, 1938

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MINISTRY OF JUSTICE

BAKHSI, ABDUL SALAM

DOB: AUGUST 3, 1958

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